



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Sixteenth day of November Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.21410 of 2021

1 VENKATESAN
2 KALPANA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
PADALAM POLICE STATION,
CHENGALPATTU DISTRICT.
(CRIME NO.617/2021)

[RESPONDENT]

For Petitioner : M/S G.MAGESHKUMAR Advocate

For Respondent : MR. N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 323, 427, 506 Part II of IPC in Crime No.617 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that, on 27.10.2021, the defacto complainant viz Kamalakannan, who is having agricultural field adjacent to the petitioners land. The petitioners have caused damages to the tree belonging to the defacto complainant. Thereby, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioners submits that the defacto complainant is not doing agriculture. On the day of occurrence the defacto complainant has caused hurt to the petitioners. The petitioners have not committed any offence as alleged by the prosecution. The alleged occurrence took place on 27.10.2021 but the F.I.R was registered on 29.10.2021. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) submits that the investigation is almost completed and there is no previous case.



5. Considering the fact that the investigation is almost completed. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, Chengalpattu, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police on every Friday at 10.30 a.m., until for orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners to be released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

16/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE-I,
CHENGALPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE,
CHENGALPATTU DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
PADALAM POLICE STATION,
CHENGALPATTU DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S G.MAGESHKUMAR Advocate on payment of necessary
charges SR.NO.12859

CRL OP.21410/2021

Date :16/11/2021

INBA-17/11/2021